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August 18, 2004

AUG 18 2004

**TO:** Examiner George (TC1600)

**GROUP:** 1616

**FAX NUMBER:** 703-872-9307

**ATTORNEY DOCKET NO.:** BERN-0040

**SERIAL NO.:** 09/913,697

**FILED:** January 28, 2002

**NUMBER OF PAGES:** 4

**MESSAGE:** Attached please find Notice of Appeal; Authorization to charge deposit account in the amount of \$165.00 for appeal filing fee; and Certificate of Transmission by Facsimile.

**Kathleen A. Tyrrell, Registration No. 38,350**

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**CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)**

Applicant(s): Bernstein et al.

Docket No.

BERN-0040

Application No.

09/913,697

Filing Date

January 28, 2002

Examiner

George, Konata M.

Group Art Unit

1616

Invention: Compositions and Methods for Preventing Photoaging

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Notice of Appeal

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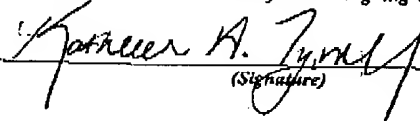
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**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES (Small Entity)**AUG 18 2004  
Docket No.  
BERN-0040

In Re Application Of: Eric F. Bernstein

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/913,697	January 28, 2002	George, Konata M.	26259	1616	3740

Invention: Compositions and Methods for Preventing Photoaging

**COMMISSIONER FOR PATENTS:**

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated finally rejecting Claim(s)

Applicant is a small entity under 37 CFR 1.9 and 1.27.

☒ Applicant claims small entity status. See 37 CFR 1.27

The fee for this Notice of Appeal is: \$165.00

☐ A check in the amount of the fee is enclosed.☐ The Director has already been authorized to charge fees in this application to a Deposit Account.☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-1619

Dated: August 18, 2004

Kathleen A. Tyrrell, Reg. No. 38,350

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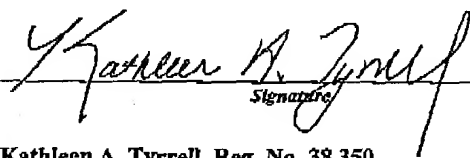
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